

### **REMARKS**

Initially, Applicants would like to express their appreciation to the Examiner for the detailed Official Action provided on May 10, 2004. Applicants acknowledge with appreciation the indication that claims 10-31 are allowable, and that claims 4-9 and 35-41 contain allowable subject matter, on page 5 of the Official Action.

Applicants note that CLAIM OF PRIORITY together with a certified copy of Korean Application No. 2000-68771 was filed in the present application on March 29, 2001. However, confirmation of the receipt of the certified copy of the priority document was not included in either of the two Official Action issued in the present application. The Examiner is therefore respectfully requested to acknowledge the claim of priority under 35 U.S.C. §119 in the next official communication in the present application. If the above noted claim of priority or certified copy is not in the application file wrapper, the Examiner is respectfully requested to contact the undersigned at the below-listed telephone number so that this matter can be resolved.

Upon entry of the above amendments, claims 1 and 32 will have been amended and new claims 47 and 48 will have been added. Further, claims 23 and 37 will have been amended to place them in better form for clarification. Thus, claims 1-48 are

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currently pending. Therefore, the Examiner is respectfully requested to reconsider and withdraw the rejections and objections to claims 1-9 and 32-46 of the application.

On the pages 2 and 3 of the Official Action, claims 32, 42, and 44 were rejected under 35 U.S.C. 102(e) as being anticipated by KARLSSON et al. (U.S. Patent No. 6,018,663). Applicants respectfully traverse the rejection of claims 32, 42, and 44 under 35 U.S.C. 102(e).

Claim 32, as presently amended, includes, inter alia, " ...determining with a controller a number of dynamic FAs and number of fixed FAs for each group based on one of call requests or the subscriber's information." Applicants further submit that KARLSSON et al. fail to disclose control allocation frequencies based on subscriber information or call requests. Therefore, the rejection of claim 32 is improper for the above-noted reason.

Further, Applicants submit that dependent claims 42 and 44, which are at least patentable due to their respective dependencies from claim 32, for the reason noted above, recite additional features of the invention and are also separately patentable over the prior art of record for reasons related to their own recitations.

Applicants respectfully submit that the rejection of claims 32, 42, and 44 under 35 U.S.C. 102(e) is improper at least for the above-noted reasons. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection, and an early indication of the allowance of these claims.

On the pages 3-5 of the Official Action, claims 1-3 and 43-46 were rejected under 35 U.S.C. 103(a) as being unpatentable over KARLSONN et al. in view of

McFARLANE et al. (U.S. Patent 5,200,955). Applicants respectfully traverse the rejection of claims 1-3 and 43-46 under 35 U.S.C. 103(a).

Claim 1, as presently amended, includes, inter alia, "...a determiner that determines d#, each representing a number of dynamic FAs and a the number of fixed FAs, respectively, for each sector based on one of call requests or subscriber information." Applicants submit that KARLSONN et al. fail to disclose allocation frequencies based on call requests or subscriber information, and McFARLANE et al. fail to remedy the deficiency of KARLSONN et al. because McFARLANE et al. fail to disclose any frequency allocation.

Additionally, there is no disclosure in any of the applied prior art that suggests the combination of the teachings as proposed by the Examiner in the above rejection. Moreover, even assuming, arguendo, that the combination of the teachings of KARLSONN et al. and McFARLANE et al. is proper, such combination would not result in Applications' claimed invention.

Accordingly, the Examiner is respectfully requested to withdraw the rejection of claim 1. Further, as described above, claim 32, from which claims 43-46 are dependent either directly or indirectly, has been amended in generally the same fashion of claim 1. Accordingly, claim 32 is also allowable.

Applicants submit that dependent claims 2, 3, and 43-46, which are at least patentable due to their respective dependencies from claims 1 and 32, at least for the reason noted above, recite additional features of the invention and are also separately patentable over the prior art of record based on these recited features.

Applicants respectfully submit that the rejections of claims 1-3, and 43-46 under 35 U.S.C. 103 are improper at least for the above-noted reasons. Accordingly, Applicants

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respectfully request reconsideration and withdrawal of the rejections, and an early indication of the allowance of these claims.

By the present amendment, independent claims 47 and 48 have been submitted and include the allowable subject matter of dependent claims 4 and 35 (and the respective intervening claims), and of independent claims 1 and 32. Therefore, Applicants respectfully submit that claims 47 and 48 are also patentable at least in accordance with the Examiner's indication.

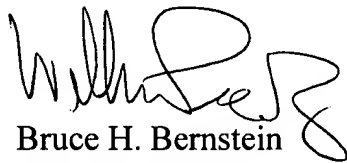
In regard to the Examiner's statement of reasons for indication of allowance subject matter in claims 4-9, 10-31, and 35-41 on pages 5 and 6 of the Official Action, Applicants do not disagree with the Examiner's indication that features of these claims are neither shown nor suggested by the prior art of record. However, Applicants wish to make clear that the claims in the present application recite a combination of features, and that the patentability of these claims is also based on the totality of the features recited therein, which define over the prior art. Thus the reasons for allowance should not be limited to those mentioned by the Examiner.

**SUMMARY AND CONCLUSION**

In view of the above, it is submitted that all of the stated grounds of rejection have been properly traversed. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and completed response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested.

Should the Examiner have any questions concerning this response, or the present application, the Examiner is respectfully requested to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
Duk-Yong KIM et al.

  
Bruce H. Bernstein  
Reg. No. 29,027



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GREENBLUM & BERNSTEIN, P.L.C.  
1950 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191